

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 98-403-T - ORDER NO. 2006-114

FEBRUARY 27, 2006

IN RE: Application of Darrell Ellison d/b/a Ronnie's	)	ORDER
Moving Service, 123 Marlboro Drive,	)	REINSTATING
Greenville, South Carolina 29605 (District 4)	)	CERTIFICATE
for a Class E Certificate of Public	)	
Convenience and Necessity.	)	

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of an Application filed by Darrell Ellison d/b/a Ronnie's Moving Service (Applicant or Ronnie's Moving Service) to reinstate Class E Certificate of Public Convenience and Necessity No. 9706 (Certificate). Certificate No. 9706 was issued to Ronnie's Moving Service pursuant to Commission Order No. 2000-0501, dated June 13, 2000.

By Commission Order No. 2005-662, dated November 10, 2005, and as subsequently amended by Order No. 2005-662(A), dated December 13, 2005, issued in Docket No. 2005-291-T, a formal hearing was set for holders of Certificates of Public Convenience and Necessity that had failed to file the required evidence of insurance and had failed to comply with the statutes governing operations of Motor Vehicle Carriers in South Carolina. The holders of Certificates addressed in Order No. 2005-662(A) were given thirty (30) days from the date of receipt of the Order to respond to the allegations of their failure to comply with the requirements stated above. The record reflects that Ronnie's Moving Service was a respondent to the Rule to Show Cause for failure to file the required evidence of insurance.

For those motor carriers who had not responded to the prior notifications of noncompliance, a public hearing regarding this matter was held on February 1, 2006, at 2:30 p.m. The Commission found that the Certificates of Public Convenience and Necessity held by certain carriers should be revoked and cancelled for the continued, willful violation by these carriers of the Commission's Rules and Regulations and/or the South Carolina statutes governing Motor Vehicle Carriers [S.C. Code Ann. Section 58-23-10 et. seq. (1976)], with the specific violation being the failure to maintain insurance coverage as required. Accordingly, the Commission issued Order No. 2006-108, dated February 10, 2006, which cancelled Ronnie's Moving Service's Certificate No. 9706.

By letter received February 13, 2006, the Applicant requests that Ronnie's Moving Service's Certificate in question be reinstated. According to the Applicant, Ronnie's Moving Service was unaware that the required insurance documents had not been filed. Further, attached to Ronnie's Moving Service's request is a letter addressed to the Commission by the Applicant's insurance agent, Kendall & Associates, Inc., advising that Ronnie's Moving Service has continually maintained the required insurance and also advises of the circumstances that led to Ronnie's Moving Service's non-compliance with filing evidence of insurance. As verification of insurance coverage, Ronnie's Moving Service files with its request for reinstatement Form H, Uniform Motor Carrier Cargo Certificate of Insurance, and Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance issued by Ronnie's Moving Service's insurance company.

At its regularly scheduled meeting on February 22, 2006, the Commission reviewed the case before it and after due consideration, the Commission concludes that

the above-mentioned Certificate should be reinstated, subject to compliance with all the applicable statutes and the Commission's Rules and Regulations.

IT IS THEREFORE ORDERED:

1. That Class E Certificate of Public Convenience and Necessity No. 9706 in the name of Darrell Ellison d/b/a Ronnie's Moving Service be, and hereby is, reinstated, subject to compliance with all Commission Rules and Regulations within sixty (60) days of the date of this Order.

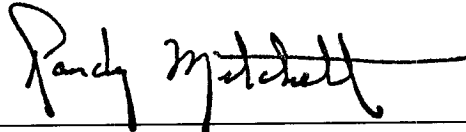
2. That all operating rights authorized under the Certificate are hereby reinstated, subject to compliance with all applicable statutes and the Commission's Rules and Regulations within sixty (60) days of the date of this Order.

3. That prior to compliance with the applicable statutes and the Commission's Rules and Regulations, including the requirements of filing proof of insurance and an acceptable safety rating, the motor carrier services authorized by the Certificate shall not be provided.

4. Failure of the Applicant either (1) to complete the certification process by complying with the Commission requirements of causing to be filed with the Office of Regulatory Staff proof of appropriate insurance and the payment of license fees and such other information required by law within sixty (60) days of the date of this Order or (2) to request and obtain from the Commission additional time to comply with the requirements of the Commission as stated above, shall result in the authorization approved in the Order being revoked.

5. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

A handwritten signature in black ink, appearing to read "Randy Mitchell", with a horizontal line extending from the end of the signature.

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Randy Mitchell, Chairman

ATTEST:

A handwritten signature in black ink, appearing to read "G. O'Neal Hamilton", with a horizontal line extending from the end of the signature.

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G. O'Neal Hamilton, Vice Chairman

(SEAL)